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### REMARKS/ARGUMENTS

In reply to the Office Action mailed November 19, 2004, Applicants respectfully request reconsideration and allowance of the subject application. In the Office Action, the Examiner rejected claims 10 and 18-20 for failing to comply with the enablement requirement under 35 U.S.C. §112, first paragraph, rejected claims 1-10 and 18-20 for obviousness under 35 U.S.C. §103(a) and allowed claims 11-17. Accordingly, claims 1-20 remain pending in the subject application.

The Examiner rejected claims 10 and 18-20 for failing to comply with the enablement requirement. The rejection states particularly with respect to claim 18 that the specification does not provide support for the phrase "a conduit with an inlet disposed below the outlet to said feed conduit." Action at page 2. Applicants respectfully disagree with the Examiner that the quoted phrase is not supported in the specification. Figures 1 and 2 show an outlet for conduit 62 through which spent caustic exits the extractor section 32 through the convex baffle 34. Moreover, the Examiner questioned the clarity of "a hydrocarbon product conduit with an inlet in communication with said extractor section proximate a top of said extractor section" and questioned whether the inlet section is separate from the product conduit. Applicants respectfully explain that hydrocarbon product conduit 60 shown in Figures 1 and 2 has an inlet in communication with the extractor section proximate the top of the extractor section 32. The inlet is part of the product conduit 60 and not separate from the product conduit. Applicants respectfully submit that claim 18 and therefore claims 19 and 20 depending therefrom are clear and enabling. The Examiner also rejected claim 10 which refers to the same spent alkaline conduit 62 and respectfully submits that Figures 1 and 2 show the inlet to the spent alkaline conduit 62 in communication with the bottom 34 of the extractor section 32. Applicants respectfully request reconsideration and withdrawal of the rejections for non-enablement under 35 U.S.C. §112, first paragraph.

The Examiner rejected claims 1, 5 and 6 as obvious over U.S. Patent 2,228,028 (the "Brower patent"). The Office Action mistakenly makes reference to the Hewlett patent in item 4 of the Action at page 3. However, the Examiner indicated in a telephone conversation with the undersigned that he meant to refer to the Brower patent in the references of item 4 on page 3. Claim 1 recites that the extractor section is "disposed directly above" the prewash section. The Examiner addresses this limitation by contending "that Fig. 1 as shown by Hewlett [Brower] does not exclude the possibility of spatially orienting extractor sec[t]ion (18) above the prewash (2)." Action at 3. Applicants respectfully submit that the rejection of claim 1 over the Brower patent does not state a *prima facie* case of obviousness. To establish a *prima facie* case of obviousness, the Examiner has the burden of establishing the cited reference or references has teachings which if combined, due to appropriate motivation, suggest what is claimed in the application. The fact that a reference does not exclude the possibility of being rearranged according to the claims is not sufficient to establish that the reference suggests the arrangement claimed by Applicants. There must be some teaching in the references to suggest making the arrangement recited in the claim or else improper hindsight enters into

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the rejection. In the Brower patent, the extractor vessel 2, which the Examiner refers to as the prewash section, is located adjacently to the extractor vessel 18 which the Examiner is calling the extractor section. Nothing in the Brower patent indicates that the extractor vessel 18 should be disposed above the extractor vessel 2, let alone "disposed directly above" the extractor vessel 2. By disposing the extractor section directly above the prewash section as recited in claim 1, only one footprint is required for the prewash section and the extractor section. Therefore, approximately half of the plot space is required for the extractor and prewash sections and only one foundation is needed to support the prewash and extractor sections. Applicants respectfully submit that the Brower patent does not present a sufficient *prima facie* case of obviousness and respectfully request reconsideration and allowance of claim 1. At least for the same reasons, Applicants respectfully request reconsideration and allowance of claims 2-10 depending from claim 1.

The Examiner also rejected claims 2, 7-10 and 18-20 as being obvious over the Brower patent in view of U.S. Patent 2,337,467 (the "Hewlett patent") in view of U.S. Patent Publication 2001/0015136 A1 (the "Letzel publication"). Both claim 2 and claim 18 recite a coalescer in the extractor section. The rejection recognizes the deficiency in the Brower patent but contends:

it would have been obvious to one of ordinary skill to have replaced the extractor disclosed by Brower with the contacting distillation column (extractor) disclosed by Letzel since the apparatus disclosed by Letzel is equivalently suitable for use in similar applications.

Action at page 6. Applicants respectfully traverse the characterization that the apparatus disclosed by the Letzel publication is equivalently suitable for use in similar applications as the extractor disclosed by the Brower patent. The Letzel publication discloses a vapor-liquid contacting column 1; i.e., a distillation column. Whereas, the Brower patent discloses a liquid-liquid contacting vessel 18. Applicants respectfully submit that one of ordinary skill in the art would not expect to substitute equipment from a vapor-liquid contacting column into a liquid-liquid contacting context of the extractor vessel 18. Indeed, not all of the upflowing liquid in the column 1 would contact the structure of the demisting means 35 (Figure 5 of the Letzel publication) if used in a liquid-liquid contacting context. Much of the upflowing liquid would escape through screens 31 in the bottom of funnels 32 without contacting the demister means 35. However, the demisting means 13, 35 of the Letzel publication works in a vapor-liquid contacting context because liquid collecting in the funnels 29 would not allow vapor to move upwardly through the funnel when used as disclosed in the vapor-liquid contacting context. Moreover, claim 18 recites that the coalescer permits "no more than 1 ppm of alkali from passing therethrough." The Letzel publication does not indicate that it could prevent less than 1 ppm of alkali from passing through one of its trays. Indeed, because of the inability of this vapor-liquid contacting structure of the Letzel publication to route the upflowing liquid to the demisting means 13, 35, it is highly likely that more than 1 ppm of alkali would rise above a tray therein if used in a liquid-liquid contacting context. Accordingly, because the teachings of the Letzel publication are not appropriately combined with the teachings of the Brower patent, Applicants respectfully request reconsideration and withdrawal of the rejection for


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obviousness of claims 2, 9 and 18. For at least the same reasons, Applicants respectfully request reconsideration and allowance of dependent claims 7 and 8, 9 and 10 and 19 and 20 depending from claims 2, 9 and 18, respectively.

Should the Examiner have any questions regarding this matter, please feel free to call the undersigned.

Respectfully submitted,



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